

material has been added.

Claims Objections

6. Claim 1 has been amended to recite “an end piece base”.
7. Claim 18 line 20 has been amended to recite “the second end piece”.

§102 Claims Rejection

8. The rejection of Claim 10 as being anticipated by Bauman (US 2003/010629) is respectfully traversed. Referring to Figs 2 and 4 of Bauman below, the drawings illustrate a door sill and not a sill pan. The function of the sill assembly is summarized in Bauman Paragraph [0002]. Paragraph [0021] of Bauman describes a portion of the sill assembly. Because of the fundamental structural and functional differences between a sill and a sill pan, there are also several differences in the elements cited by the examiner:
 - The element cited as a “front flange” is horizontal versus downwardly directed. Claim 10 has been amended to cite a “downwardly extending front flange”.
 - The current invention cites a rear sill support. As shown in FIG. 4, and described in paragraph [0021], Bauman’s element 12 is a “roller track” for a sliding door. Claim 10 has been previously amended to clarify that the rear and front supports are sill supports.
 - The current invention cites a front sill support. As shown in FIG. 4, and described in paragraph [0023], Bauman’s element 26 is a “screen track”.

:

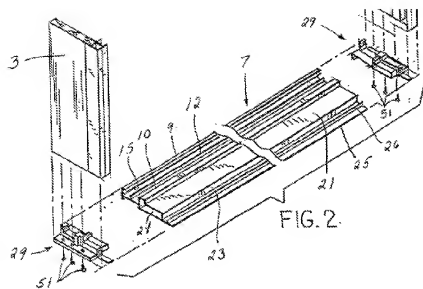
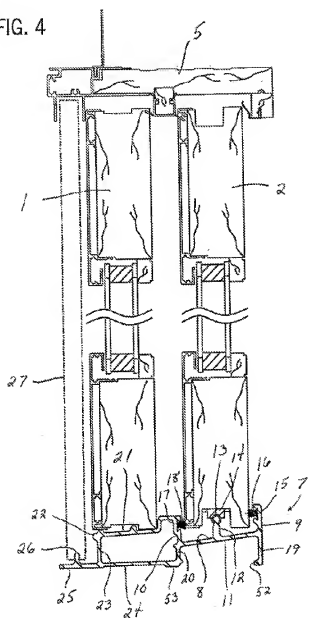


FIG. 4



9. The rejection of claims 18-20 as being anticipated by Headrick (5, 136,814) is respectfully traversed. As previously discussed, Headrick describes a door sill and not a sill pan; and in the current invention, the “rear support” and the “front support” both support a window or door sill. Claim 18 has been previously amended to clarify that the rear and front supports are sill supports.
- Headrick does not describe a “rear sill support”. The Examiner cites elements 17 and 27 as being rear sill supports. At col 4, lines 27-56, Headrick describes element 27 as a “gutter”; element 17 as a “front wall”; and element 31 as a “snugger strip” which serves as a gasket. As further illustrated by the figures, none of these elements serves as a sill support—they are features of a sill.
 - a. Headrick does not describe a “front sill support”. At col 4, lines 20-26, Headrick describes element 22 as a “vertical support” which preferably has “laterally extending feet portions 26 that rest firmly upon the threshold framing.” The functions of a sill pan, as described in the current invention, is to rest upon the framing to support a sill, and to prevent water infiltration below the sill. The vertical support 22 does not support a sill, it is a feature of a sill.

Claim 18 has been amended to recite “an upwardly extending rear sill support, and an upwardly extending front sill support, such that the rear sill support and the front sill support are oriented lengthwise on the sill pan base.

Claims 19 and 20 are dependent upon claim 18, which applicant argues is allowable in view of these distinctions.

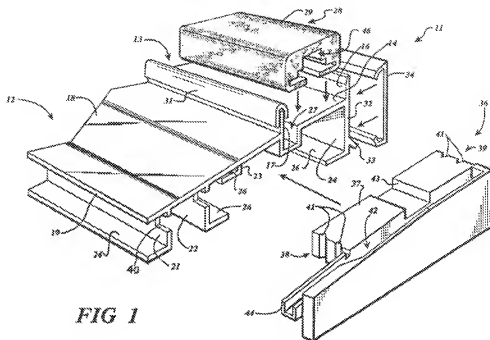


FIG 1

§103 Claims Rejection

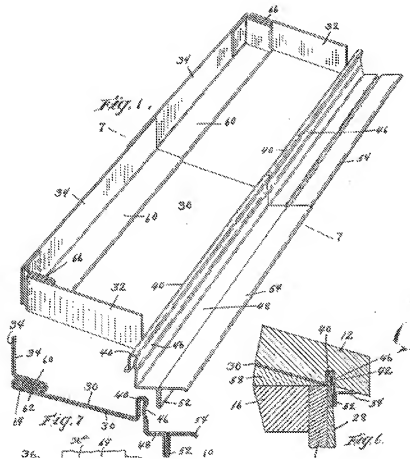
10. The rejection of claim 1 as being obvious over Burk (US 1,904,404) in view of Baum (US 1,842,956) is respectfully traversed. As described above applicant argues that independent claim 1 is now in condition for allowance. Burk describes a telescoping sheet metal sill pan to support a window with an inclined sill (page 1, lines 74-75).

First, Neither Burk nor Baum describe a front sill support. Element 40 is not a front sill support. As described at page 2, lines 19-35, Burk's element 40 is a sealing feature – "an upstanding horizontal inverted channel section" whose side wall engages a portion of the sill.

Second, as described above Baum describes a sill rather than a sill pan, and Burk's sill pan has two pieces which each have integral side walls (page 2, lines 1-5). It is not obvious to one skilled in the art to combine Burk and Baum to form a rejection for sill pan end pieces as claimed in claim 1. The Examiner's rejection is based on hindsight.

Claim 1 has been amended to cite “a lengthwise oriented rear sill support” and “a lengthwise oriented front sill support comprising a plurality of drain gaps”. Burk does not teach drain gaps in element 40, and such drain gaps would not be effective in Burk’s design. The specification describes drain gaps is at page 16 columns 1-9.

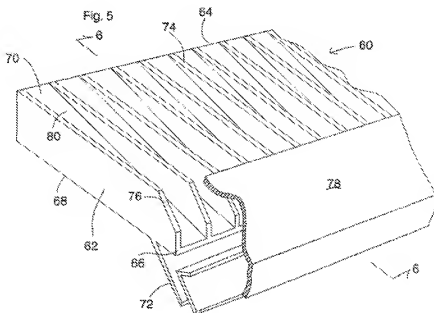
Claims 4-8 are dependent upon claim 1, which applicant argues is allowable in view of these distinctions.



Information Disclosure Statement references

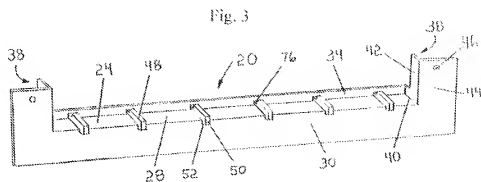
11. An IDS is provided for U.S. Patent No. 5,921,038 to Burroughs and U.S. Patent No. 6,385,925 B1 to Wark as discussed in the specification.

As shown in FIG. 5 below, Burroughs describes a “diverter” with an inclined plate and ribs 24 perpendicular to the front edge. The diverter is designed to be placed under wall components such as windows and doors. The patent includes a front cover, but does not disclose end members. These features are discussed beginning at column 6, line 58.



As shown in FIG. 3 below, Wark teaches a “window drain” with an inclined plate and window supports 48 perpendicular to the front edge as described at column 5, lines 14-17. The Wark patent does not include a cover, but does have integral end members. Wark also describes the possible use of other window support means such as truncated cones. Wark describes the supports as being on the apparently solid inclined base. Two disadvantages to the Burroughs and Wark devices are (a) that the supports are oriented perpendicular to the front of the devices rather than oriented lengthwise; and (b) the devices are fixed length. By contrast, the lengthwise orientation of the current invention permits a more economical extrusion of the base unit. Also, in the current

invention, the sill pan can be prepared to a desired length by cutting the base unit and attaching end units.



12. Applicant believes that all claims are now in condition for allowance.

Thank you for your assistance in this application.

Dated: January 23, 2008

Respectfully submitted,

/Rick B. Yeager/

Rick B. Yeager
Attorney at Law
10805 Mellow Lane
Austin, Texas 78759
Registration No. 39,434
Telephone (512) 918-1237
Facsimile (512) 918-1238
No. of Application 10/730,414